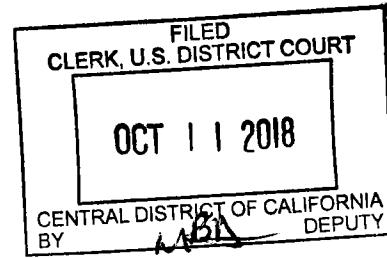


CARL JAMAL CHARESTAN # BE-9036
 Name and Prisoner/Booking Number

CSP. CONCORD ASU # 175
 Place of Confinement

P.O. Box 3456
 Mailing Address

Concord, CA 93212
 City, State, Zip Code



(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT
FOR THE [REDACTED] DISTRICT OF CALIFORNIA
CENTRAL**

CARL JAMAL CHARESTAN,)
 (Full Name of Plaintiff) Plaintiff,)
)
 v.) CASE NO. 2:18-CV-05792-CJC-(JDE)
) (To be supplied by the Clerk)
 (1) COUNTY OF LOS ANGELES et. AL,)
 (Full Name of Defendant))
 (2) Sgt. SBT. OROZCO, SGT. DELGON, SGT. STRADER,)
 (3) LT. RUEVELS, LT. WEBER, CAPT. STRANGE,)
 (4) DGP. M. VALDOVINO, DGP. SCHAFER,)
 Defendant(s).)
 Check if there are additional Defendants and attach page 1-A listing them.
 (5) DGP. GIBSON, DGP. LAFONTE, DGP. LEYVA
 (6) CHIEF FENDER.

**CIVIL RIGHTS COMPLAINT
BY A PRISONER**

"JURY TRIAL DEMANDED"

Original Complaint
 First Amended Complaint
 Second Amended Complaint

A. JURISDICTION

- This Court has jurisdiction over this action pursuant to:

28 U.S.C. § 1343(a); 42 U.S.C. § 1983
 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).
 Other: _____
- Institution/city where violation occurred: TWIN TOWERS CORRECTIONAL FACILITY.

B. DEFENDANTS

1. Name of first Defendant: County of Los Angeles. The first Defendant is employed as:
at _____
(Position and Title) (Institution)
2. Name of second Defendant: Sgt. Samuel Olazizo. The second Defendant is employed as:
at TTCF
(Position and Title) (Institution)
3. Name of third Defendant: DeLeon. The third Defendant is employed as:
at TTCF
(Position and Title) (Institution)
4. Name of fourth Defendant: Sandoval. The fourth Defendant is employed as:
at TTCF
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? Yes No
2. If yes, how many lawsuits have you filed? _____. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: AMENDMENT VIII (8) OF THE CONSTITUTION "AND CRUEL AND UNUSUAL PUNISHMENTS INFECTED". 13TH (C5)TH AMENDMENT, 14TH AMENDMENT VIOLATIONS SINCE IT WAS A PROVISIONAL DETAINEE
2. Claim I. Identify the issue involved. Check only one. State additional issues in separate claims.

<input type="checkbox"/> Basic necessities	<input type="checkbox"/> Mail	<input type="checkbox"/> Access to the court	<input type="checkbox"/> Medical care
<input type="checkbox"/> Disciplinary proceedings	<input type="checkbox"/> Property	<input type="checkbox"/> Exercise of religion	<input type="checkbox"/> Retaliation
<input checked="" type="checkbox"/> Excessive force by an officers	<input type="checkbox"/> Threat to safety	<input type="checkbox"/> Other: _____	

3. Supporting Facts. State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

IN AUGUST 2016 SGT. SAMUEL OROZO, DEPUTIES JONES, BATEMAN, LOPEZ, + PEREZ
ALL USED EXCESSIVE FORCE ON ME WHILE EXTRACTING ME FROM THE MODULE 142 CELL #F-2.
BATEMAN SHOT ME WITH OVER 50-65 PEPPER BULBS, OROZO SPRAYED ME WITH 1 CAN OF SPRAY,
JONES SPRAYED ME WITH 1 CAN OF SPRAY, LOPEZ SPRAYED ME WITH 1 CAN OF SPRAY, PEREZ
SPRAYED ME WITH 1 CAN OF SPRAY. ALL OF THIS WAS RECORDED BY DVTEL CAMERA
SYSTEM WHICH IS COUNTY JAILS AND SHOULD BE IN POSSESSION OF EVIDENCE. —
THIS WAS DONE MAILEDY / SADISTICALLY. FORCE USED WAS OBJECTIVELY UNREASONABLE.
I WAS STRANGLED BY DEPUTY SCHAFER IN THE BACK OF AN AMBULANCE IN 2016. I

1. GOT STRANGLED WHILE I WAS IN MECHANICAL RESTRAINTS (WAIST CHAIN + ANKLE RESTRAINTS).
ALSO PRESENT WERE SGT. DELTON, DEPUTY CHAVEZ, + DEPUTY CENTENO. NO BODY STOPPED
SCHAFER FROM STRANGLING ME. I LOST CONSCIOUSNESS. NO BODY HELPED ME.
2. WHILE I WAS IN MODULE 211 D7 I WAS BEAT UP IN A CELL BY DEPUTIES CARMONA +
DEPUTY GHOSH. I WAS PUNCHED IN MY HEAD AND SLAMMED DOWN ON A METAL BUNK.
WHEN I ATTEMPTED TO DEFEND MYSELF DEPUTY LEYVA SPRAYED ME WITH A LARGE CAN OF
SPRAY. SGT. DELTON WAS PRESENT AND ENCOURAGED / INSTRUCTED THIS ATTACK.
I WAS NOT ALLOWED TO DECONTAMINATE AND HAD TO USE TOILET WATER TO DECONTAMINATE

4. Injury. State how you were injured by the actions or inactions of the Defendant(s). PABW.
I WAS INJURED WITH BODY TRAUMA, HEADACHES / MIGRAINES, BACK, NECK, SHOULDER ~~AND~~
DIFFICULTY SLEEPING. DIFFICULTY BREATHING. ~~DEPTHS~~ PSYCHOLOGICAL TRAUMA.

5. Administrative Remedies:

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim I? Yes No
- c. Did you appeal your request for relief on Claim I to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. PLEASE NOTE THAT ADMINISTRATIVE GRIEVANCES WERE FILED. DEFENDANTS FAILING
TO RESPOND CONSTITUTES EXHAUSTION.

CLAIM II

1. State the constitutional or other federal civil right that was violated: VIIITH AMENDMENT - CRUEL AND UNUSUAL PUNISHMENT

2. Claim II. Identify the issue involved. Check **only one**. State additional issues in separate claims.

<input type="checkbox"/> Basic necessities	<input type="checkbox"/> Mail	<input type="checkbox"/> Access to the court	<input type="checkbox"/> Medical care
<input type="checkbox"/> Disciplinary proceedings	<input type="checkbox"/> Property	<input type="checkbox"/> Exercise of religion	<input type="checkbox"/> Retaliation
<input type="checkbox"/> Excessive force by an officer	<input type="checkbox"/> Threat to safety	<input checked="" type="checkbox"/> Other: <u>DELIBERATE INDIFFERENCE</u>	

3. Supporting Facts. State as briefly as possible the FACTS supporting Claim II. Describe exactly what **each** Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

LT. REEVES WAS DELIBERATELY INDIFFERENT TO MY NEEDS BY FREEZING ME - FORCED ME TO SLEEP NAKED FOR DAYS WITHOUT BLANKETS, MATTRESS, CLOTHING. THIS OCCURRED IN MOONLIGHT ZONE. A SIGN WAS PAINTED AND PLACED ON MY DOOR. FARMER V. BRENNAN

LT. REEVES ALSO DID NOT RESPOND TO MY GRIEVANCES NOR DID HE SUPPLY ME WITH ANSWERS THE CONCERNING OF THE NUMEROUS GRIEVANCES THAT I FILED.

SGT. DELTOP WAS DELIBERATELY INDIFFERENT TO ME WHEN DEPUTY SCHAFER WAS STRANGLING ME IN THE BACK OF THE AMBULANCE. BURGESS V. MOORE 39 F.3d 216, 218 (8TH CIR. 1994) (ASSTANT SUPERINTENDENT AT PACSON COULD BE FOUND DELIBERATELY INDIFFERENT FOR FAILING TO INTERVENE WHEN GUARDS HELD PRINCE DOWN AND BEAT CHOKED HIM) I WAS CHOKE TO THE POINT OF UNCONSCIOUSNESS.

CAPTAIN STRANGE, CHIEF GUARD WERE DELIBERATELY INDIFFERENT TO MULTIPLE USES OF FORCE AS WELL AS NEVER ANSWERED ANY GRIEVANCES.

FARMER V. BRENNAN 511 U.S. 825, 114 S. Ct. WHETHER A REPORT TO LT. WEBBER WHAT M. VAIDOVIC DID TO ME IN THE PRESENCE OF

SGT. SANDOVAL HE (WEBER) TURNED A BLIND EYE TO THE ARMY

OFFICE OF INSPECTOR GENERAL INVESTIGATION MS. BARBARA PHILLIPS IS AWAKE OF THESE ISSUES.

4. Injury. State how you were injured by the actions or inactions of the Defendant(s).

FREEZING TEMPERATURES IN ZONE D7, WAS STRANGLED TO POINT OF UNCONSCIOUSNESS - PSYCHOLOGICAL THURST.

5. Administrative Remedies.

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- Did you submit a request for administrative relief on Claim II? Yes No
- Did you appeal your request for relief on Claim II to the highest level? Yes No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. ADMINISTRATIVE REMEDIES EXHAUSTED WITH DEFENDANTS FAILS TO RESPOND TO GRIEVANCES.

CLAIM III

CLAIM III

- State the constitutional or other federal civil right that was violated: 8TH AMENDMENT
CRUEL AND UNUSUAL PUNISHMENT.
- Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.
 Basic necessities Mail Access to the court Medical care
 Disciplinary proceedings Property Exercise of religion Retaliation
 Excessive force by an officer Threat to safety Other: _____

3. Supporting Facts. State as briefly as possible the FACTS supporting Claim III. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

DEPUTY M. VAIDOVENOS STRANGLED ME WHILE I WAS IN A GUARDIA CAPTION.
I WAS STRANGLED WITH SGAT BILT STRAP. DUE TO ME BEING SGAT VEDFO
ESCORT AFTER THE AUGUST 2016 INCIDENT THIS WAS PERIODICALLY BY
AND WATCHED BY SGT. SANDOVAL. I WAS STRANGLED BECAUSE I
CLEARED MY THROAT AND HE (VAIDOVENOS) THOUGHT I WAS GOING
TO SPIT ON HIM.

4. Injury. State how you were injured by the actions or inactions of the Defendant(s).

NEGLIGENCE, SHORTNESS OF BREATH, AND NECK PAIN.
PSYCHOLOGICAL TRAUMA.

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

plaintiff respectfully prays that this court:

- A. DECLARE THAT THE ACTS AND OMISSIONS DESCRIBED herein violated Plaintiff's rights under the Constitution and Laws of the United States.
- B. ORDER DEFENDANTS TO PAY COMPENSATORY AND PUNITIVE DAMAGES IN THE AMOUNT OF \$ 9,000,000.00 U.S. DOLLARS. NINE MILLION U.S. DOLLARS
- C. ORDER DEFENDANTS TO PAY ATTORNEY FEES AND COSTS AND
- D. GRANT OTHER JUST AND EQUITABLE RELIEF THAT THIS HONORABLE COURT OFFERS NECESSARY.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10/8/2018
DATE


SIGNATURE OF PLAINTIFF
PRO SE

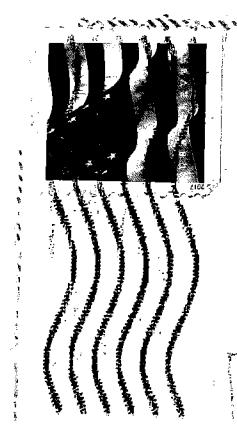
(Name and title of paralegal, legal assistant, or other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

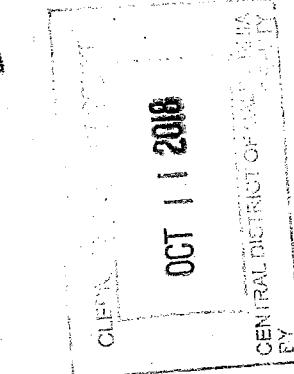
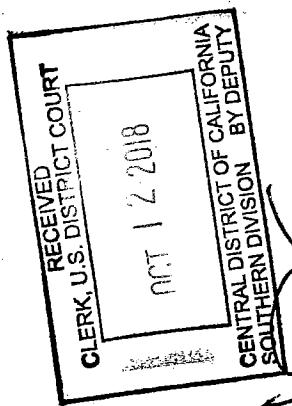
ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.



81/8/01 GJW

CARL JAMES CHARLTON # 86-9036
CSP-CORRECTIONAL ASY # 175
P.O. BOX 3456
CONCORD, CA 94512



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
255 EAST TEMPLE STREET ROOM 180
LOS ANGELES, CA 90012

1661 MAIL
30012-333299

2 of 2

[Handwritten signature]
Brett